

### **REMARKS**

Claims 1 – 6, 10, 11, 14 – 21, and 23 - 35 remain pending in this application. In view of the final rejection, the application has been thoroughly reviewed and amendments made herein in an earnest effort to place the application in condition for allowance. In this regard, claims 7 – 9, 12, 13, 22, and 26 – 39 have been cancelled without prejudice or disclaimer to pursuing such claims in a divisional application. Further reconsideration of this application is requested.

#### **Specification Objection**

Although not required as previously explained, an abstract on a separate sheet is provided herewith to obviate the maintained objection. Accordingly, withdrawal of the objection to the abstract of the disclosure is requested.

#### **Indefiniteness Rejections**

Claims 28 and 32 have been amended in light of the comments in the rejection based on 35 U.S.C. § 112 second paragraph, to eliminate any issues of indefiniteness that may have existed, while Applicant does not acquiesce in the propriety of the rejection. Accordingly, reconsideration and withdrawal of this ground of rejection are requested.

#### **35 U.S.C. § 102/103 Rejections**

In response to the continued rejection of claims 1 - 35 as being anticipated by, or alternatively unpatentable over Colvin, U.S. Patent No. 6,418,132, the claims have been amended to more explicitly set forth that the cellular core structures disposed within the cellular housing structures are geometric structures. See, e.g., Figs. 1A-1D, housing structure 15, core structure 16, array 1; Figs. 4A – 4F. Additionally, claim 1 has been amended to specify that the function of the structure is for absorbing energy of an explosion or collision. See paragraphs 0004 – 0005 of the present application as published.

As previously explained, Colvin discloses body armor for preventing penetration of a projectile such as a bullet. The Colvin body armor is not designed to protect against an

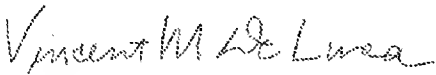
energy impulse caused by an explosion or collision, as set forth in claim 1. One embodiment of Colvin relates to an energy absorbing layer 200 shown in Figs. 5A-5B wherein a plurality of cells 40 are formed or molded into an internal core member 41. As seen in Fig. 5B, there are no identifiable cellular housing structures bonded together to form an array of housing structures as claimed. Instead, the alternating cells 40 are formed from a single undulating core member 41. In this embodiment, a foam material 45 is disclosed as filling certain selected cells 40. Foam 45 is a material, and not a structure as set forth in the claims. To make this distinction even more explicit, claim 1 has been amended to specify that the structures are geometric structures, as shown in Figs. 4A – 4F. The remaining claims have been amended to remove “foam” from being a possible cellular core material.

Further, as previously explained, Colvin does not disclose a plurality of cellular housing structures bonded together, as set forth in the claims. Regarding Fig. 2, Element 81 appears to be a fluid channel for maintaining cells 76 in fluid communication with each other, wherein a pressurized gas is admitted. See col. 3, l. 67 – col. 4, l. 3. Consequently, element 81 does not function to “bond together” cells 76 as asserted. Additionally, regarding the embodiment of Fig. 5B, there are no identifiable cellular housing structures bonded together to form an array of housing structures as claimed. Instead, the alternating cells 40 are formed from a single undulating core member 41. Accordingly, Colvin also fails to disclose this recited feature of the claimed invention.

**Conclusion**

In view of the foregoing, favorable reconsideration of claims 1 – 6, 10, 11, 14 – 21, and 23 - 35, withdrawal of the outstanding grounds of objection and rejection, and the issuance of a Notice of Allowance are earnestly solicited.

Please charge any fee or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Novak Druce Deposit Account No. 14-1437.

RESPECTFULLY SUBMITTED,					
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